



DEAN C. LOGAN  
Registrar-Recorder/County Clerk

June 6, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

22 June 6, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**REQUEST DELEGATED AUTHORITY TO EXTEND TERM FOR AGREEMENT NUMBER 76314  
WITH BELL AND HOWELL, LLC FOR ABSENTEE VOTER BALLOT SORTING SYSTEM AND  
MAINTENANCE AND SUPPORT SERVICES**

**CIO RECOMMENDATION: APPROVE (X) APPROVE WITH MODIFICATION ( )  
DISAPPROVE ( )**

**SUBJECT**

Request Board delegated authority to extend the term for an additional year of the Agreement with Bell and Howell, LLC. set to expire July 31, 2012, and to provide additional time necessary to complete a solicitation for the Absentee Voter Ballot Sorting System and Maintenance & Support Services. Funding is included in FY 2012-2013 budget for the amount of \$62,904.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Delegate authority to the Registrar-Recorder/County Clerk, or his designee, to execute the attached amendment to Agreement number 76314 with Bell and Howell, LLC (Contractor) for the Absentee Voter Ballot Sorting System and Maintenance & Support Services to extend for an additional twelve (12) month period, commencing August 1, 2012 through July 31, 2013, with a six (6) month-to-month options to extend, provided that the amendment is reviewed and approved by County Counsel prior to executing such amendment. The recommended action will provide additional time necessary to complete a solicitation and negotiate an agreement. Funding for the Amendment in the amount of \$62,904 is included in the FY 2012-2013 budget.
2. Delegate authority to the Registrar-Recorder/County Clerk to execute the above extension provision and terminate the Amendment, in whole or in part, once the department has completed the

solicitation and entered into an agreement.

3. Delegate authority to the Registrar-Recorder/County Clerk or his designee to prepare and execute amendments to the Agreement to incorporate or change any contracting provision required by the Board of Supervisors, Chief Executive Officer or designee.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On July 31, 2007, your Board approved an agreement to allow RR/CC the acquisition of the Absentee Voter (AV) ballot sorting equipment, including maintenance and support services. The equipment has enabled the RR/CC to sort, by individual precinct and AV ballots that are returned each election within the legally allowable timeframes.

The purpose of the recommended action is to obtain approval to extend the current agreement set to expire July 31, 2012. Although the agreement allows for six (6) month-to-month options to extend, RR/CC is requesting a one year extension to allow sufficient time for the completion of the solicitation process. On average, a new solicitation can take anywhere from 9 to 12 months from start to finish. It is in the Department's best interest to extend the Agreement for one (1) year to complete the solicitation rather than extend for the six (6) months in order to avoid service interruption for the November 6, 2012 Presidential General Election.

Additionally, this contract amendment is economically advantageous to the County since the Contractor has agreed to a significant cost reduction in the area of Software Maintenance. Annual costs for the provision of Software Maintenance services were set at \$9,880/year in the Agreement. As a result of direct negotiations with the Contractor, this amount has been reduced to \$7,000 per year, facilitating a 29% savings on this specific line item. This constitutes a direct benefit to the County and a savings when compared to prior years.

RR/CC will provide Contractor oversight and will ensure accountability for the services provided. The proposed Amendment will commence August 1, 2012 through July 31, 2013, with month-to-month extensions not to exceed six (6) months. The Registrar-Recorder/County Clerk will have delegated authority to execute the extension provision of the proposed Agreement Amendment, to terminate this extension, and update any necessary contracting provisions in whole or in part, at the sole discretion of the Registrar-Recorder/County Clerk once the solicitation process has been completed and entered into an agreement for said services.

### **Implementation of Strategic Plan Goals**

This request supports the County Strategic Plan as follows:

Goal No. 1: Operational Effectiveness: Maximize the effectiveness of processes, structure, and operations to support timely delivery of customer-oriented and efficient public services.

Strategy 2: Service Excellence and Organization Effectiveness: Approval of the recommendation to extend the agreement will allow seamless continuation of maintenance and support services and optimize efficiency in processing returned Vote by Mail (VBM) formerly known as Absentee ballots and ensure critical election deadlines are met.

### **FISCAL IMPACT/FINANCING**

Funding for the recommended one (1) year extension for the continued maintenance and support services is estimated at \$62,904 and is included in the Department's FY 2012-2013 budget. The estimated funds of \$42,186 to exercise the month-to-month extension options will be included in the FY 2013-2014 budget, if extensions are required to complete the solicitation.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On July 31, 2007, your Board approved a three-year Agreement with Bowe Bell + Howell Company (BBH) with two one-year and six month-to-month extension options for the purchase of an automated mail sorting system, as well as maintenance and support services. BBH configured and installed a mail sorting system designed with unique two-tier loading and stacking trays, specific to the RR/CC's space requirements.

On February 7, 2012, your Board approved Amendment Number One to consent the assignment of the Agreement from Bowe Bell + Howell Company to Bell and Howell, LLC for maintenance and support services for the RR/CC's sorting system.

The Chief Information Office (CIO) has reviewed the Board letter and determined that because this recommended action does not include any technology related matters, no formal CIO Analysis is required. However, the CIO's recommendations have been incorporated into the Board Letter. The CIO completed a formal CIO Analysis in July, 2007 for the original Agreement. The Chief Executive Office has reviewed and approved this Board letter. County Counsel has reviewed this Board letter and approved the attached Amendment Number Two as to form.

### **CONTRACTING PROCESS**

There is no contracting process associated with the Agreement extension.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the recommended Amendment will allow the RR/CC to receive uninterrupted maintenance and support services for the mail sorting system until the solicitation process is completed. No other impact to current services is anticipated.

### **CONCLUSION**

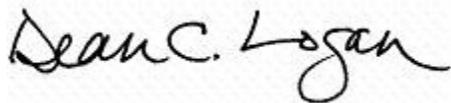
Approval of delegated authority to the Registrar-Recorder/County Clerk, or designee, to authorize the term extension to complete the solicitation process for the Absentee Voter Ballot Sorting System and Maintenance & Support Services will ensure uninterrupted services during the election period.

The Honorable Board of Supervisors

6/6/2012

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Respectfully submitted,

A handwritten signature in black ink that reads "Dean C. Logan". The signature is written in a cursive, flowing style.

DEAN C. LOGAN

Registrar-Recorder/County Clerk

DCL:APL:AG:FP:c

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Enclosures

c: Chief Executive Officer  
Acting County Counsel  
Executive Officer, Board of Supervisors

**AMENDMENT NUMBER TWO**  
**TO AGREEMENT 76314**  
**WITH**  
**BELL AND HOWELL, LLC**  
**FOR**  
**VOTE BY MAIL BALLOT SORTING SYSTEM AND**  
**MAINTENANCE & SUPPORT SERVICES**

**AMENDMENT NUMBER TWO  
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WITH  
BELL AND HOWELL, LLC  
FOR  
VOTE BY MAIL VOTER BALLOT SORTING SYSTEM AND  
MAINTENANCE & SUPPORT SERVICES**

This Amendment Number Two ("Amendment Number Two") to Agreement Number 76314 ("Agreement") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2012 by and between the County of Los Angeles, a political subdivision of the State of California ("County") and Bell and Howell, LLC ("Contractor"), a Delaware corporation ("BH"). County and Contractor are sometimes hereinafter referred to collectively as the "Parties" and each individually as a "Party."

WHEREAS, the Agreement was originally entered into by and between County and Bowe Bell + Howell and approved by the County's Board of Supervisors on July 31, 2007;

WHEREAS, under that certain Amendment Number One to the Agreement dated February 7, 2012, the Agreement was amended to reflect, among other things, (i) County's consents to the assignment of the Agreement, including all changes, amendments, and any and all other documents executed in relation thereto, to Bell and Howell, LLC and (ii) replaced Paragraph 6.1 with a new Paragraph 6.1 to expand the Registrar-Recorder/County Clerk's delegated authority to include Amendments for non material changes;

WHEREAS, the County and Contractor wish to further amend the Agreement to, among other things, (i) extend the contract term for an additional twelve months with six (6) month-to-month options to extend the term and (ii) revised contract sum; (iii) revised Exhibit B (Price Matrix);

WHEREAS, the changes to the Agreement are made pursuant to Paragraph 6.0 (Change Notices and Amendments) of the Agreement;

NOW THEREFORE, in consideration of the foregoing and mutual consent herein contained, said Agreement is amended as follows:

1. Paragraph 5 (Term), Paragraph 5.1 of the Agreement is hereby deleted in its entirety and replaced with a new Paragraph 5.1 to read as follows:

"The extension term of this Agreement shall be effective August 1, 2012 through July 31, 2013, with six (6) month-to-month options to extend the term upon approval by County's Board of Supervisors, whichever comes later, unless sooner terminated or extended, in whole or in part, as provided in this Agreement."



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BELL AND HOWELL, LLC  
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IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Amendment Number Two to be subscribed on its behalf by the Registrar-Recorder/County Clerk or his/her designee and the Contractor has subscribed the same through its duly authorized officer as of the day, month and year first above written. The persons signing on behalf of Contractor warrant under penalty of perjury that he or she is authorized to bind the Contractor.

**COUNTY OF LOS ANGELES**

\_\_\_\_\_  
TIM MCNAMARA, Assistant  
Registrar-Recorder/County Clerk

**BELL AND HOWELL, LLC**

\_\_\_\_\_  
AUTHORIZED SIGNATURE

\_\_\_\_\_  
PRINT OR TYPE NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
Tax Identification Number

APPROVED AS TO FORM:

JOHN KRATTLI  
Acting County Counsel

By \_\_\_\_\_  
Patrice Salseda  
Senior Deputy County Counsel

**PRICE SHEET**  
(Revised May 16, 2012)

<u>Description of Service</u> (One (1) year extension period)	<u>Total Amount</u>
Software Maintenance Agreement <i>(\$7,000.00 per year X 8.75% tax)</i>	\$7,612.50
Full Coverage Maintenance Agreement includes: <ul style="list-style-type: none"> <li>• (4) Preventative Maintenance Inspections</li> <li>• All parts replacement at no additional charge, excluding consumable supplies</li> <li>• 7 X 24 access availability</li> <li>• Staff training and Ongoing training support (includes Contractor staff, travel, per diem, material, etc.)</li> </ul> <i>(\$35,291.30 per year)</i>	\$35,291.30
Ramp Up (On-Site) Maintenance Agreement Daily Coverage  8:30AM – 5PM   \$ 765/day 7:00AM – 9PM   \$1,266/day	\$20,000.00
<b>TOTAL:</b>	\$62,903.80
<b>CONTRACT SUM:</b>	\$62,904